

Attorney Ref. No. 012. P7011

REMARKS

Claims 1, 4, 5, 6 and 7 are amended. No claims are added or cancelled.

Claims 1 – 11 and 13 – 28 are pending.

Assignee has amended claims not with the intention of narrowing the claims but to more clearly delineate intended subject matter. In fact, some amendments are believed to have broadened the affected claims. Accordingly, no prosecution history estoppel should apply.

The Examiner indicated that claims 15 – 28 are allowed and that claims 1 – 7 would be allowable if amended to overcome rejections under 35 USC 112, 2d paragraph. Assignee thanks the Examiner for such disposition of these claims.

The Examiner rejected claims 8-11 and 13 under 35 USC 112, first paragraph, for not complying the written description requirement. In particular, the Examiner asserts that the limitations "determining *one or more locations*" and "based, at least in part, on said one or more locations" lack support in the specification. This rejection is respectfully traversed. Assignee respectfully submits that at least the following portion of the specification of the present application satisfies the written description requirement for the limitations added to claim 8:

Because of the size and space limitations of the micro controller on the OCU, the download process is closely tied to the physical behavior and characteristics of the processor. In one embodiment, the micro controller is a Motorola MC68HC908GP20 high-performance 8-bit micro controller, and the internal flash

Attorney Ref. No. 012. P7011

memory is programmed in blocks of 64 bites, called rows. The IDU does a comparison of the row it is about to write with the current contents of the same row

in the ODU. If the data at the target ODU row is the same as the data about to be written, the IDU does not write the row. [Specification, p. 46, ll. 15 – 21]

In the particular embodiment illustrated in the above quoted portion of the specification, although claimed subject matter is not limited in this respect, a "location" of a "memory partition" may comprise a "row" in a memory device such as a flash memory device. Accordingly, Assignee respectfully submits that claims 8-11 are in condition for allowance.

The Examiner also rejected claims 1-7 under 35 USC 112, 2d paragraph. In particular, the Examiner pointed out that, while the preamble of claim 1 sets forth a "base station and customer sites," the body of claim 1 recites "the base stations and customer sites." Assignee has amended this phrase in the body of claim 1 to recite -- base station and customer sites --. Accordingly, Assignee respectfully submits that claims 1-7 are now in condition for allowance.

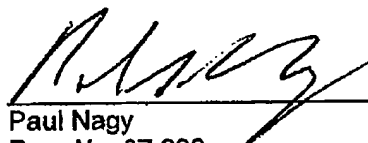
Attorney Ref. No. 012. P7011

CONCLUSION

In view of the foregoing amendments and remarks, the applicants respectfully submit that this application is in condition for allowance. However, if the Examiner finds an reason why this application is not in condition for allowance, the applicants request to contact the undersigned attorney by telephone at (310) 541-7832 to discuss the application.

Respectfully submitted,

Berkeley Law and Technology Group, LLC

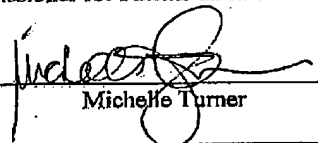
Dated: March 27, 2006
Paul Nagy
Reg. No. 37,896

1700 NW 167th Place, Suite 240
Beaverton, Oregon 97006
(503) 439-6500

Customer No. 00043831

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is
being deposited via facsimile with the
Commissioner for Patents on March 27, 2006.


Michelle Turner